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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 10/786,761 | 02/25/2004 | Loren Konkus | ORACL-01376US0 | 2841 |
| 23910 | 7590 | 03/08/2010 | | |
| FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108 | | | EXAMINER KEATON, SHERROD L | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2175 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 03/08/2010 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OFFICEACTIONS@FDML.COM

Office Action Summary

Application No.

10/786,761

Applicant(s)

KONKUS ET AL.

Examiner

SHERROD KEATON

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 20-27 and 35-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 20-27 and 35-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date 1/10.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the filing on 12-16-2009. Claims 1-10, 20-27 and 35-50 are pending and have been considered below:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-10, 20, 22-27, 35, 37-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whalen et al. (US 7614015 B2) in view of Kautzleben et al ("Kautzleben" 7493624 B1).

Claim 1: Whalen discloses a system for providing an extensible administration tool, said system

comprising:

a server connected to a network, the server including one or more processors (abstract; Column 4, Lines 57-66, Column 7, Lines 28-45); discloses embodiment of a server with a network topology

a control tree including one or more nodes, each node corresponding to a control panel that invokes functionality of an application (Figure 16 and 17); shown is a tree with multiple nodes and a second pane that provides control settings of the applications a plurality of applications provided on the server managed by the extensible administration tool the administration tool including the control tree and the control panel, wherein the extensible (Figure 16 and 17); administration tool is extended by adding one or more new control panels, each new control panel being added by creating a new node in the control tree (Column 11, Lines 57-61); once a new node is added the ability to control or edit that node is also provided (control panel) a first graphical user interface (GUI) operable to provide hierarchical navigation of the control tree; a second GUI operable to provide the control panel (Figure 16 and 17); wherein when a new application is added to the network, the server receives a command to create the new node in the control tree (Column 11, Lines 57-61); once a new application is selected the server computer provides the functionality to make a node within the console tree (control tree). activates the new control panel within the second GUI upon selecting the new node in the control tree, wherein the control panel includes customizable functions operable to administer resources within the new application (Figures 18 and 19; Column 18, Lines 34-52). Disclosed is the ability to extended the management console (add nodes as previously cited) the extensions come provided a menu (control panel) for customizing the particular node.

However Whalen does not disclose that the control tree associates the new node with the new application, wherein the new node in the control tree is associated with a managed bean object, the managed bean object defining where the new node appears in the control tree of the first GUI. However Kautzleben discloses that the node layout is managed through the bean object, (Column 7, Lines 19-36). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to provide the Mbean functionality into Whalen as taught by Kautzleben. One would have been motivated to provide the functionality because the Mbean layout functionality is a well known setting which would provide prompt and efficient layout capability for a system.

Claim 2: Whalen and Kautzleben disclose an extensible administration tool as in Claim 1 above and Whalen further discloses:

- a.) first group of services related to extending the tree (Figures 6, 7 and 15; abstract, Column 11, Lines 56-61); and
- b.) second group of services related to defining a control panel (Figure 16). Provides settings that define the edit menu (control panel) for the selected domain.

Claim 3: Whalen and Kautzleben disclose an extensible administration tool as in Claim 2 above and Whalen further discloses:

- a.) first function operable to add node to the tree (Column 11, Lines 57-61); and

b.) node can associated with an icon or a (URL) uniform resource locator (Figure 6 and 7);

Claim 5: Whalen and Kautzleben disclose an extensible administration tool as in Claim 2 above and Whalen further discloses the first function operable to create a control panel (Figures 18 and 19; Column 18, Lines 34-52). Selection provides an editing menu (control panel)

Claim 6: Whalen and Kautzleben disclose an extensible administration tool as in Claim 1 above and Whalen further discloses:

- a.) the tree contains at least one node (Figures 16-19); and
- b.) where at least one node can represent a network-accessible entity that can be administratively controlled by the tool (Figure 17; Column 8, Lines 40-44). Policies can apply to users or machines on the network.

Claim 7: Whalen and Kautzleben disclose an extensible administration tool as in Claim 1 above and Whalen further discloses:

- a.) the tree contains at least one node (Figures 16-19); and
- b.) at least one node is associated with at least one node of: 1.) menu; 2.) another node; 3.) a control panel (Figures 18 and 19; Column 18, Lines 34-52). Selection provides an editing menu (control panel)

Claim 8: Whalen and Kautzleben disclose an extensible administration tool as in Claim 1 above and further discloses the tree providing a graphical representation of network resources (Whalen: Figures 16-19).

Claims 9: Whalen and Kautzleben disclose a system as in claim 1 wherein the tool can be used to administer resources within an application and or a web server (Whalen: Figure 16; Column 7, Lines 27-45).

Claims 10: Whalen and Kautzleben disclose an extensible administration tool as in Claims 1 above and further disclose that the control panel can include tabs (Whalen: Figures 16-19).

Claims 20 and 35: Whalen discloses a system for providing an extensible administration tool, said system comprising:
a server connected to a network, the server including one or more processors (abstract; Column 4, Lines 57-66); discloses embodiment of a server with a network topology
a control tree including one or more nodes, each node corresponding to a control panel that invokes functionality of an application (Figure 16 and 17); shown is a tree with multiple nodes and a second pane that provides control settings of the applications
a plurality of applications provided on the server managed by the extensible

administration tool the administration tool including the control tree and the control panel, wherein the extensible (Figure 16 and 17); administration tool is extended by adding one or more new control panels, each new control panel being added by creating a new node in the control tree (Column 11, Lines 57-61); once a new node is added the ability to control or edit that node is also provided (control panel) a first graphical user interface (GUI) operable to provide hierarchical navigation of the control tree; a second GUI operable to provide the control panel (Figure 16 and 17); wherein when a new application is added to the network, the server receives a command to create the new node in the control tree (Column 11, Lines 57-61); once a selection is made the server computer provides the functionality to make a node within the console tree (control tree). activates the new control panel within the second GUI upon selecting the new node in the control tree, wherein the control panel includes customizable functions operable to administer resources within the new application (Figures 18 and 19; Column 18, Lines 34-52). Disclosed is the ability to extended the management console (add nodes as previously cited) the extensions come provided with a menu (control panel) for customizing the particular node.

However Whalen does not disclose that the control tree associates the new node with the new application, wherein the new node in the control tree is associated with a managed bean object, the managed bean object defining where the new node appears in the control tree of the first GUI. However Kautzleben discloses that the node layout is managed through the bean object, (Column 7, Lines 19-36). Therefore it would have

been obvious to one having ordinary skill in the art at the time of the invention to provide the Mbean functionality into Whalen as taught by Kautzleben. One would have been motivated to provide the functionality because the Mbean layout functionality is a well known setting which would provide prompt and efficient layout capability for a system.

Claims 22 and 37: Whalen and Kautzleben disclose a method for customizing an administration tool having a machine-readable medium as in Claims 20 and 35 above and further discloses making the node a child node of at least one other node (Whalen: Column 12, Lines 34-45; Column 18, Lines 7-10). Domains can be selected which fall under the hierarchy of the forest (domain selected would be the child node of the forest parent node)

Claims 23 and 38: Whalen and Kautzleben disclose a method for customizing an administration tool having a machine-readable medium as in Claims 20 and 35 above and Whalen further discloses:

- a.) the tree contains at least one node (Figures 16-19); and
- b.) where at least one node can represent a network-accessible entity that can be administratively controlled by the tool (Figure 17; Column 8, Lines 40-44). Policies can apply to users or machines on the network.

Claims 24 and 39: Whalen and Kautzleben disclose a method for customizing an administration tool having a machine-readable medium as in Claims 20 and 35 above and Whalen further discloses:

- a.) the tree contains at least one node (Figures 16-19); and
- b.) at least one node is associated with at least one node of: 1.) menu; 2.) another node; 3.) a control panel (Figures 18 and 19; Column 18, Lines 34-52). Selection provides an editing menu (control panel)

Claims 25 and 40: Whalen and Kautzleben disclose a method for customizing an administration tool having a machine-readable medium as in Claims 20 and 35 above and further discloses the tree providing a graphical representation of network resources (Whalen: Figures 16-19).

Claims 26: Whalen and Kautzleben disclose a system as in claim 20 wherein the tool can be used to administer resources within an application and or a web server (Whalen: Figure 16; Column 7, Lines 27-45).

Claims 27 and 41: Whalen and Kautzleben disclose an extensible administration tool as in Claims 20 and 35 above but does not explicitly disclose that the control panel can include tabs (Whalen: Figures 16-19)

Claim 42: Whalen and Kautzleben disclose the system of claim 1, wherein the framework includes a console extension that adds one or more nodes to the tree to manage a plurality of applications deployed on one or more servers of a cluster (Whalen: Column 11, Lines 57-61).

Claim 43: Whalen and Kautzleben disclose the system of claim 1, wherein the framework includes one or more tabbed dialogs, wherein each tabbed dialog contain nested sub-tabs (Whalen: Figures 16-19) Tabs are provided with additionally tabbing functionality (selection to edit location, name , link order).

Claim 44: Whalen and Kautzleben disclose the system of claim 43, wherein each tab contains functionality of the control panel (Whalen: Figures 16-19).

Claim 45: Whalen and Kautzleben disclose the method of claim 20, wherein the framework includes a console extension that adds one or more nodes to the tree to manage a plurality of applications deployed on one or more servers of a cluster (Whalen: Column 11, Lines 57-61)

Claim 46: Whalen and Kautzleben disclose the method of claim 20, wherein the framework includes one or more tabbed dialogs, wherein each tabbed dialog contain nested sub-tabs tabs (Whalen: Figures 16-19) Tabs are provided with additionally

tabbing functionality (selection to edit location, name , link order).

Claim 47: Whalen and Kautzleben disclose the method of claim 46, wherein each tab contains functionality of the control panel (Whalen: Figures 16-19).

Claim 48: Whalen and Kautzleben disclose the machine readable storage medium of claim 35, wherein the framework includes a console extension that adds one or more nodes to the tree to manage a plurality of applications deployed on one or more servers of a cluster (Whalen: Column 11, Lines 57-61)

Claim 49: Whalen and Kautzleben disclose the machine readable storage medium of claim 35, wherein the framework includes one or more tabbed dialogs, wherein each tabbed dialog contain nested sub-tabs tabs (Whalen: Figures 16-19) Tabs are provided with additionally tabbing functionality (selection to edit location, name , link order).

Claim 50: Whalen and Kautzleben disclose the machine readable storage medium of claim 49, wherein each tab contains functionality of the control panel (Whalen: Figures 16-19).

3. Claims 4, 21 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whalen et al. (US 7614015 B2) and Kautzleben et al ("Kautzleben" 7493624 B1) in further view of Zellweger (US 6397222 B1).

Claims 4: Whalen and Kautzleben disclose an extensible administration tool however does not explicitly disclose that the URL address of a control panel implementation. However Zellweger discloses a method and apparatus for end user management of a content menu on a network and further discloses that a URL is an address of a control panel implementation (Column 4, Lines 6-27) and (Column 6, Lines 49-56). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to have the URL as an address of the control panel implementation in the modified Whalen as taught by Zellweger. One would have been motivated to have the URL address to supplement the visualization of hypertext material.

Claims 21 and 36: Whalen and Kautzleben disclose an extensible administration tool however does not explicitly disclose implementing a Java Server Page (JSP). However Zellweger discloses a method and apparatus for end user management of a content menu on a network and further discloses Hypertext files that include source code formats like HTML (Column 5, Lines 7-19). Java Sever Pages also use HTML in their documents. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to implement JSP in the modified Whalen as taught by

Zellweger. One would have been motivated to have the JSP to allow specific content access and allow merging of content and links.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicants amendments necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SLK

2-26-2010

/William L. Bashore/

Supervisory Patent Examiner, Art Unit 2175